

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

JAMES MCGIBNEY, an individual; and
VIA VIEW, INC., a corporation.
Plaintiffs,

v.

CASE NO. 5:14-cv-01059-BLF

THOMAS RETZLAFF, an individual;
NEAL RAUHAUSER, an individual;
LANE LIPTON, an individual;
and DOES 1-5, individuals whose true
names are not known,
Defendants.

**DEFENDANT RETZLAFF'S NOTICE OF RECANTATION OF TESTIMONY OF
WITNESSES**

Defendant Thomas Retzlaff wishes to notify the Court that witness tampering and intimidation has taken place as the result of actions by the plaintiff and his attorney.

1. On August 15, 2014, plaintiffs attempted to file a "sealed" Exhibit 25 (ECF 36). After the Court denied plaintiffs' motion to seal, plaintiffs filed an unsealed version of Exhibit 25 (ECF 45) consisting of affidavits obtained from Retzlaff's son, Collin Retzlaff, and his ex-wife, Denise Hollas.

2. Both affiants have now signed sworn recantations of the testimony averring that

the original, perjurious affidavits were suborned by plaintiff McGibney and his functionaries (including the pseudonymous Twitter aliases @CattyIdiot and @Captien_007), and attorney Jason Leiderman using threats, fear, bribery, and harassment. *See* Denise Hollas Declaration, ¶ 5; Collin Retzlaff Declaration, ¶ 2.

3. The Court should not consider the recanted testimony for any purpose beyond referring it to the U.S. Attorney for prosecution of McGibney for felony witness tampering pursuant to 18 U.S.C. §1512.

Respectfully submitted,

/s/ Thomas Retzlaff
Thomas Retzlaff
PO Box 46424
Phoenix, AZ 85063-6424

Defendant, pro se

CERTIFICATE OF SERVICE

I certify that on September 26, 2014, a copy of this document was electronically filed on the CM/ECF system, which will automatically serve a Notice of Electronic Filing on the following attorney in charge for plaintiffs ViaView & James McGibney:

Jason Scott Leiderman, of 5740 Ralston Street Ste 300, Ventura, CA 93003, Email: Jay@Criminal-Lawyer.me.

I certify that Jay Leiderman is a registered CM/ECF user and that service will be accomplished by the CM/ECF system.

I certify that on September 26, 2014, a copy of this document was electronically filed on the CM/ECF system, which will automatically serve a Notice of Electronic Filing on the following attorney in charge for defendant Lane Lipton:

Clark Anthony Braunstein, of 11755 Wilshire Boulevard, Suite 2140, Los Angeles, CA 90025, Email: Clarkbraunstein@gmail.com.

I certify that Clark Anthony Braunstein is a registered CM/ECF user and that service will be accomplished by the CM/ECF system.

/s/ Thomas Retzlaff
Thomas Retzlaff

Defendant, pro se